

United States District Court

for the

Eastern District of Washington

Petition for Warrant or Summons for Offender Under Supervision

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 27 2018

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

Name of Offender: Steven Ray Prigan Case Number: 0980 2:14CR00067-JLQ-1
Address of Offender: Spokane, Washington 99207
Name of Sentencing Judicial Officer: The Honorable Justin L. Quackenbush, Senior U.S. District Judge
Date of Original Sentence: August 22, 2014
Original Offense: Robbery Affecting Commerce, 18 U.S.C. § 1951(a)
Original Sentence: Prison - 36 months Type of Supervision: Supervised Release
TSR - 36 months
Asst. U.S. Attorney: James Goeke Date Supervision Commenced: September 30, 2016
Defense Attorney: Matthew A. Campbell Date Supervision Expires: September 29, 2019

PETITIONING THE COURT

To issue a **warrant** and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/26/2017, 01/31/2017, 05/16/2017 and 06/19/2017.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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Special Condition #17: You shall abstain from the use of illegal controlled substances, and shall submit to testing (which may include urinalysis or sweat patch), as directed by the supervising officer, but no more than six tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: On October 3, 2016, the undersigned officer reviewed with Mr. Prigan, his conditions of supervised release. He signed his conditions acknowledging an understanding, to include special condition number 17.

On June 13, 2018, the undersigned officer contacted Mr. Prigan via telephone, to question him on his inability to attend his chemical dependency treatment appointment at Alcohol Drug Education Prevention and Treatment (ADEPT). When he was questioned about any illicit drug use, Mr. Prigan admitted to using heroin. He signed a drug use admission form.

On June 19, 2018, the undersigned officer visited Mr. Prigan at his home. When questioned about any additional drug use since his last reported relapse, Mr. Prigan admitted to using heroin on June 16, 2018, and signed a drug use admission form.

On June 25, 2018, Mr. Prigan reported to the probation office at the direction of the undersigned officer. When asked to provide a random urinalysis test, he admitted to using heroin on June 24, 2018, and signed a drug use admission form.

- 9 **Mandatory Condition #2:** The defendant shall not commit another federal, state, or local crime.

Supporting Evidence: On October 3, 2016, the undersigned officer reviewed with Mr. Prigan his conditions of supervised release. He signed his conditions acknowledging an understanding, to include mandatory condition number 2.

On June 26, 2018, the undersigned officer received a phone call from the property manager of the clean and sober residence where Mr. Prigan resides. The property manager advised that he observed, in plain view, suspected drug paraphernalia located in Mr. Prigan's bedroom. Specifically, the property manager observed a glass smoking device with burnt residue, two hollowed out pens with burnt residue inside, and several pieces of tinfoil with burnt residue.

Based on Mr. Prigan's recent admission to multiple heroin relapses, and the drug paraphernalia observed in his bedroom at the clean and sober residence, the U.S. Probation Office executed a search of his bedroom, based upon reasonable suspicion that Mr. Prigan may have illicit drugs in said room. Located in plain view were the drug paraphernalia items mentioned above. Additionally, two firearms were located in a box on the floor at the foot of his bed. The Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) was called for assistance, and ATF seized the two firearms. The firearms seized were an Ithaca model 37, 20-gauge shotgun, with a shortened barrel at approximately 13 ½ inches, and a Ruger Mark II Target .22 caliber pistol. The pistol had the magazine inserted in the firearm, with two rounds in the magazine. Mr. Prigan was arrested and booked into the Spokane County Jail. It is anticipated that formal charges will be brought forth for felon in possession of a firearm.

- 10 **Mandatory Condition #5:** The defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.

Supporting Evidence: On October 3, 2016, the undersigned officer reviewed with Mr. Prigan, his conditions of supervised release. He signed his conditions acknowledging an understanding, to include mandatory condition number 5.

On June 26, 2018, U.S. Probation conducted a search of Mr. Prigan's room at the clean and sober residence. As a result of the search, Mr. Prigan was found to be in possession of ammunition and two firearms: an Ithaca model 37, 20-gauge shotgun, with a shortened barrel at approximately 13 ½ inches and a Ruger Mark II Target .22 caliber pistol. The pistol had the magazine inserted in the firearm, with two rounds in the magazine.

- 11 **Standard Condition #7:** The defendant shall refrain from the excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substance, except as prescribed by a physician.

On October 3, 2016, the undersigned officer reviewed with Mr. Prigan his conditions of supervised release. He signed his conditions acknowledging an understanding, to include standard condition number 7.

On June 26, 2018, U.S. Probation conducted a search of Mr. Prigan's room at the clean and sober residence. As a result of the search, and in plain view, Mr. Prigan was found to be in possession of a glass pipe with burnt residue, two hollowed out pens with burnt residue inside, and several pieces of tinfoil with burnt residue. Additionally, upon arrest, Mr. Prigan was found to be in possession of a scale, which was located in his vehicle.

- 12 **Mandatory Condition #3:** The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the Court.

Supporting Evidence: On October 3, 2016, the undersigned officer reviewed with Mr. Prigan his conditions of supervised release. He signed his conditions acknowledging an understanding, to include mandatory condition number 3.

On June 26, 2018, the undersigned officer received a phone call from an agent with ATF. The agent advised that after Mr. Prigan was taken into custody, he consented to a search of his vehicle. Located in the center console, ATF agents discovered a baggie of suspected narcotics. Mr. Prigan admitted the suspected narcotics was methamphetamine. In addition, ATF agents located \$1,950 in cash in his vehicle.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 01/26/2017, 01/31/2017, and 05/16/2017 and 06/19/2017, and that the Court issue a warrant requiring the offender to appear to answer to the allegations contained in this petition

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 06/27/2018

s/Corey M. McCain

Corey M McCain
U.S. Probation Officer

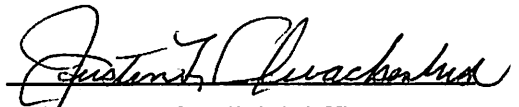
Re: Prigan, Steven Ray

June 27, 2018

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THE COURT ORDERS

- ☐ No Action
- ☒ The Issuance of a Warrant
- ☐ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer



Date